IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.43726 of 2008
SURAJ YADAV & DHARAM YADAV
Versus
STATE OF BIHAR
---

3. 23.12.2008 Heard Sri Digvijay Kumar Ojha, Advocate for the petitioners and the learned A.P.P. for the State.

The petitioner Suraj Yadav is the father of petitioner Dharam Yadav and both of them stand indicted for an offence under Section 302 IPC. The father of the deceased is the informant who alleged that the dead body of his son was lying in the pool of blood in front of the house of the above named two petitioners and suspected to have committed the murder for reason as assigned in the FIR which related to some money transactions between the parties.

WEB COPY NOT OFFICIAL

The attention of the court was drawn to many paragraphs of the case diary specially to paragraph 100, which go to indicate that the deceased had developed an illicit relationship with a lady who had married accused Bhuwar Yadav and in spite of being forbidden as also being peralised for the act, was not restraining himself and ultimately the husband Bhuwar Yadav found the lady in a compromising position with

the deceased and on account of grave and sudden provocation the deceased was killed.

Regard being had to the facts collected in the case diary, let the above named two petitioners be released from custody on furnishing bond of Rs.5,000/-(five thousand)each with two sureties of the like amount each to the satisfaction of C.J.M. Buxar in Brahmpur P.S.Case No.39 of 2008.

(Dharnidhar Jha, J.)

B.Kr.

WEB COPY NOT OFFICIAL